

**MINUTES OF A MEETING OF
THE LEMON GROVE CITY COUNCIL, LEMON GROVE HOUSING AUTHORITY, LEMON
GROVE SANITATION DISTRICT BOARD, LEMON GROVE ROADWAY LIGHTING DISTRICT
BOARD, AND LEMON GROVE SUCCESSOR AGENCY
March 3, 2015**

Call to Order

Members present: Mary Sessom, George Gastil, Jerry Jones, Jennifer Mendoza, and Racquel Vasquez.
Members absent: None.

City Staff present: Graham Mitchell, City Manager; Carol Dick, Development Services Director; Daryn Drum, Division Fire Chief; Leon Firsht, City Engineer; Susan Garcia, City Clerk; James P. Lough, City Attorney; Mike James, Public Works Director; Lt. May, Sheriff's Department; and Cathleen Till, Finance Director.

Presentations

Angela Shafer-Payne, Vice President, Operations San Diego County Regional Airport Authority, provided a presentation of the proposed Airport Development Plan.

Public Comment

Brenda Hammond commented on the City's elected officials.

1. Consent Calendar

A. Approval of City Council Minutes

February 24, 2015 Special Meeting

B. Ratification of Payment Demands

C. Waive Full Text Reading of All Ordinances and Resolutions on the Agenda

D. Claim Denial

Action: Motion by Councilmember Gastil, seconded by Councilmember Jones, to approve the Consent Calendar passed, by the following vote:

Ayes: Sessom, Gastil, Jones, Mendoza, Vasquez

2. Authorization to Submit Smart Growth Incentive Grant Program and Active Transportation Grant Program Applications

Carol Dick explained that this report provides an overview of the grants and the proposed grant application projects. The Smart Growth Incentive Program (SGIP) grant and the Active Transportation Grant Program (ATGP) are both funded through *TransNet*. Although the programs are similar, the areas of focus are different. The applicant must determine which program best fits the project and where they will compete best. It is possible to submit multiple projects in both programs and a project may be submitted for both programs. There is \$12 million available for the SGIP and \$3 million for the ATGP. The funds support both capital and non-capital projects. The schedule of completion varies between capital versus planning (non-capital) projects.

The capital grant project must award a construction contract within 2 years of grant execution and complete the project within 18 months of the contract award. The planning grant program requires that the consultant contract is awarded within one year of grant execution and the project must be completed within two years of the grant execution. Capital programs are required to include a \$5,000 line item for bicyclist and pedestrian baseline data collection. SANDAG staff will work with the City on developing and implementing a data collection plan. Projects already funded by TransNet are not eligible. Ready to go projects are more likely to be funded.

Although a grant match is not required, the grant scoring criteria provides additional point value when a match is provided. Each of the grants requested will include a grant match for in-kind staff time. The grant request for the Realignment includes in-kind staff time as well as other match funds.

The City was recently successful in obtaining a second cycle SGIP planning grant of \$400,000 for the Main Street Extension project, now known as Connect Main Street. In this third cycle of the grant, there is a cap of \$2 million per capital project and \$400,000 for planning projects.

Proposed projects must be located within a smart growth opportunity area as identified on the 2014 Smart Growth Concept Map and must be consistent with the SGIP *TransNet* Ordinance which states in part:

“Broad array of transportation-related infrastructure improvements that assist local agencies in better integrating transportation and land use, such as enhancements to streets and public places, funding of infrastructure needed to support development in the SGOAs consistent with the RCP, and community planning efforts related to smart growth and improved land use/transportation coordination.”

The Active Transportation Grant Program (ATGP) contains \$3 million to be used for a competitive grant program, to encourage planning and development of Complete Streets and provide multiple travel choices for the region’s residents. The eligible grant categories include bicycle and pedestrian-oriented transportation facility improvements, planning efforts, encouragement and education programs.

In this third cycle of the grant’s implementation, \$3 million has been made available with 75 percent for capital projects and 25 percent available for non-capital projects (\$450,000 total for planning).

Proposed projects must be consistent with the ATGP TransNet Ordinance which states in part:

“Bikeway facilities and connectivity improvements, pedestrian and walkable community projects, bike and pedestrian safety project and programs, and traffic calming projects. Includes design, right of way acquisition, and construction of bike/pedestrian facilities, as well as encouragement, education, and awareness programs and bike parking.”

Staff recommends that the City Council authorize the submission of eight grant applications under both the SGIP and the ATGP. Grant requests are recommended for:

- The Lemon Grove Avenue Realignment Project (capital)
- Broadway and Olive Street Intersection Improvements (capital)
- Construct Connect Main Street Segments (capital)
- Complete Streets Mobility Plan (non-capital)
- Massachusetts Station Specific Plan (non-capital)
- Broadway Downtown Village Specific Plan (DVSP) Expansion (non-capital)
- ADA Transition Plan (non-capital)
- Grade Separation Study (non-capital)

Mayor Sessom requested that the criteria for the Grade Separation Study be amended to include an aerial separation.

Public Speaker(s)

There were no requests from the public to speak.

Action: Motion by Councilmember Jones, seconded by Mayor Pro Tem Vasquez, to adopt the resolutions that are attachments B through K and that attachments C and D reflect changes in costs along with an amendment to resolution attachment K to include elevated separation in the study passed, by the following vote:

Ayes: Sessom, Gastil, Jones, Mendoza, Vasquez

Resolution No. 2015-3309: Resolution of the Lemon Grove City Council Authorizing the Submittal of an Application for Smart Growth Incentive Program (SGIP) Funds through the San Diego Association of Governments (SANDAG) for the Lemon Grove Avenue Realignment Project

Resolution No. 2015-3310: Resolution of the Lemon Grove City Council Authorizing the Submittal of an Application for Smart Growth Incentive Program (SGIP) Funds through the San Diego Association of Governments (SANDAG) for the Broadway and Olive Street Intersection Improvement Project

Resolution No. 2015-3310: Resolution of the Lemon Grove City Council Authorizing the Submittal of an Application for Active Transportation Grant Program (ATGP) Funds through the San Diego Association of Governments (SANDAG) for the Broadway and Olive Street Intersection Improvement Project

Resolution No. 2015-3312: Resolution of the Lemon Grove City Council Authorizing the Submittal of an Application for Smart Growth Incentive Program (SGIP) Funds through the San Diego Association of Governments (SANDAG) for the Connect Main Street Segment Construction Project

Resolution No. 2015-3313: Resolution of the Lemon Grove City Council Authorizing the Submittal of an Application for Smart Growth Incentive Program (SGIP) Funds through the San Diego Association of Governments (SANDAG) for the Complete Streets Mobility Plan

Resolution No. 2015-3314: Resolution of the Lemon Grove City Council Authorizing the Submittal of an Application for Smart Growth Incentive Program (SGIP) Funds through the San Diego Association of Governments (SANDAG) for the Massachusetts Station Specific Plan

Resolution No. 2015-3315: Resolution of the Lemon Grove City Council Authorizing the Submittal of an Application for Smart Growth Incentive Program (SGIP) Funds through the San Diego Association of Governments (SANDAG) for the Broadway Downtown Village Specific Plan (DVSP) Expansion

Resolution No. 2015-3316: Resolution of the Lemon Grove City Council Authorizing the Submittal of an Application for Smart Growth Incentive Program (SGIP) Funds through the San Diego Association of Governments (SANDAG) for the ADA Transition Plan

Resolution No. 2015-3317: Resolution of the Lemon Grove City Council Authorizing the Submittal of an Application for Active Transportation Grant Program (ATGP) Funds through The San Diego Association of Governments (SANDAG) for the ADA Transition Plan

Resolution No. 2015-3318: Resolution of the Lemon Grove City Council Authorizing the Submittal of an Application for Smart Growth Incentive Program (SGIP) Funds through the San Diego Association of Governments (SANDAG) for the Grade Separation Study

3. Bus Shelter Purchase

Mike James reported that the City of Lemon Grove has eight bus shelters that it owns and maintains. Seven bus shelters are located on Broadway between Federal Boulevard and Lemon Grove Avenue and one bus shelter is located on College Avenue. The current shelters were constructed in 1996 and are in need of replacement because of normal wear and tear.

Staff recommends purchasing ten bus shelters via the public agency participation clause. The City will save time and money by not having to complete the traditional advertisement and award process. From the purchase order creation date, anticipated to be March 4, 2015, the City can expect to receive the ten bus shelters by June 1, 2015. This purchasing process is authorized per Lemon Grove Municipal Code 3.24.090.

As a result of a competitive bidding process, per Bid No. 12-02, the Morongo Basin Transit Authority awarded a purchase order to Tolar Manufacturing for the purchase of accessible bus shelters. The public agency participation clause contained within the bid documents, enables other governmental entities the opportunity to purchase additional bus shelters as specified in the bidding process.

The total material cost including delivery of ten bus shelters is not expected to exceed \$89,130.65. This cost does not include labor for installation which is estimated at \$7,500 for 10 bus shelters. The total equipment and installation cost estimate equals \$96,630.65. Staff recommends including a ten percent contingency (or \$9,663.06) to mitigate unforeseen expenditures encountered in the field. Therefore, the total project cost is \$106,293.71. The project is anticipated to be completed by July 31, 2015. Additional time was embedded in the construction timeline to allow for ample notification to all MTS riders.

Public Speaker(s)

There were no requests from the public to speak.

Action: Motion by Councilmember Gastil, seconded by Mayor Pro Tem Vasquez, to adopt the resolution with green as the selected bus shelter color passed, by the following vote:

Ayes: Sessom, Gastil, Jones, Mendoza, Vasquez

Resolution No. 2015 – 3319: Resolution of the City Council of the City of Lemon Grove, California Authorizing the Purchase of ten Bus Shelters with Site Furnishing

4. Sidewalk Incentive Pilot Program

Graham Mitchell stated that on January 6, 2015, staff presented an agenda item entitled “Sidewalk Installation Incentive Program.” During this agenda item, staff presented background information about sidewalk installation and potential sidewalk installation incentive program concepts. The City Council provided direction to staff to develop a pilot program with a simple graduated match program. The purpose of this staff report is to present a pilot program, with several identified challenges, for City Council discussion and feedback.

First, staff is concerned about potential drainage problems and liability that could be created unintentionally from small portions of sidewalks being installed without connection to the City’s stormwater system. For example, if three property owners on a block of 10 parcels opt to develop curb, gutter and sidewalk, the water collected in the newly installed gutter may not necessarily lead to a stormwater inlet. Staff is concerned that water conveyed by the new gutter could cause private property damage, resulting in liability for the City.

Second, staff is concerned that developing sidewalks piecemeal may not resolve the problem of overhead utilities. The City can rely on 20A funds to pay for undergrounding costs if a minimum of 600 linear feet (approximately 10 to 12 parcels) of sidewalk is being installed as part of a project. If the project is under the 600 foot minimum, the 20A funds are not available.

Third, staff is concerned that developing sidewalks piecemeal could create non-uniform street widths, creating potential liability for the City. For example, if three property owners opt to develop sidewalk and dedicate right-of-way to the width determined by the General Plan, the lane width in front of those properties may be wider than non-participating properties. This non-uniform lane width could create some liability exposure to the City in the event of an accident.

Option 1 – The City would offer varying matches to property owners that wish to install sidewalk. The program would require the participating property owner to obtain a title report to verify that there are no underlying easements (approximately \$500) and dedicate public right-of-way required for the sidewalk, in the event the right-of-way is insufficient. It would also require the participating property owner to remove, at their own expense, any vegetation or structures located in the path of the future sidewalk.

Using a City match to incentivize greater lengths of sidewalks to be installed, staff recommends a graduated match schedule. Staff recommends that the City provide no match for a single parcel participant, a match of 33 percent for two to four parcels, 50 percent for five or more parcels, and an additional 10 percent if all the parcel owners on a block participate in the program. Staff recommends that parcels located on cul-de-sac streets not be eligible initially to participate in the program, since the goal is to increase community connectivity.

With a budget of \$100,000 for this program, the City could potentially incentivize the installation of sidewalks in front of more than 25 parcels.

Option 2 – This program also requires participating property owners to dedicate required public right-of-way and to remove any vegetation or structures located in the path of the future sidewalk. Staff also recommends that parcels located on cul-de-sac streets initially be ineligible to participate in the program.

Through this program, staff recommends that when at least half of the property owners of a block segment agree to participate in installing sidewalk, the City would install curb and gutter along the entire block segment. As the curb and gutter is installed, participating property owners would pay for the install of their driveway aprons and between 75 percent and 85 percent of the sidewalk installation costs. The City would pay for 15 percent of sidewalk installation costs for two to four parcels and 25 percent of sidewalk installation cost for five or more parcels. Those unwilling to participate would have the option to install sidewalk at a later time, after obtaining an encroachment permit from the City. The incentive to participate in the initial phase of the project is to take advantage of the City's match.

In this option, the concern about stormwater liability is resolved; however, vacant portions of sidewalk still remain an issue. Assuming a budget of \$100,000, this program could also incentivize the installation of sidewalk in front of approximately 25 parcels.

During the January 6th meeting, crushed or decomposed granite (DG) as a sidewalk material was introduced. Staff has researched the cost and pros/cons of using DG for a sidewalk. In short, DG sidewalk material is less expensive than cement. However, installation of DG is more labor intensive than cement. Further, DG pathways have higher maintenance costs, lower longevity, and inferior functionality than cement. Staff has identified an alternative material to DG and cement, which is further discussed in this section.

In preparing for this staff report, staff spoke with staff from the City of Poway. Poway has traditionally used DG for a pathway material. However, because DG erodes easily, does not hold up well to heavy foot traffic, and generated frequent calls for repair, Poway began using crushed aggregate base (CAB). CAB is less expensive than DG and has a longer maintenance life. The material is initially rough, but breaks down to a more compact surface over time.

The cost of installing DG and cement sidewalks are not much different. After factoring in maintenance cost, cement sidewalks are less expensive overall. The CAB material is 20 percent less than cement.

If the City Council decides to move forward with a sidewalk incentive pilot program, staff recommends establishing a budget of \$50,000 for the program, using *TransNet* funds. Staff would create marketing materials about the program and mail the material to all eligible property owners in the pilot program area. In the marketing material, staff would offer to meet with individual property owners or with groups. The marketing campaign would cost approximately \$500 for printing and mailing.

Public Speaker(s)

Kimberley Paris commented on the possibility of reclaimed water grants to assist with the costs.

After the discussion, the City Council directed staff to develop the sidewalk incentive pilot program guidelines and conduct community outreach at the Farmers Market.

5. Loan Agreements between the City of Lemon Grove and the Successor Agency to the Lemon Grove Community Development Agency

Cathy Till reported that at its February 26, 2015 meeting, the Oversight Board to the Successor Agency of the Lemon Grove Community Development Agency adopted two resolutions approving two loan agreements between it and the City of Lemon Grove. The City Council, as part of Agenda Item #6, will consider the two loan agreements. The purpose of this agenda item is to present the same loan agreements for the Successor Agency Board consideration. The loan agreements address two short-term cash-flow loans from the City to the Successor Agency.

Public Speaker(s)

There were no requests from the public to speak.

Action: Motion by Board Member Jones, seconded by Board Member Gastil, to adopt the resolutions passed, by the following vote:

Ayes: Sessom, Gastil, Jones, Mendoza, Vasquez

Resolution No. 2015-9: Resolution of the Lemon Grove Successor Agency Board Approving a Loan Agreement between the Successor Agency to the Lemon Grove Community Development Agency and the City of Lemon Grove

Resolution No. 2015-10: Resolution of the Lemon Grove Successor Agency Board Approving a Loan Agreement between the Successor Agency to the Lemon Grove Community Development Agency and the City of Lemon Grove

6. Loan Agreements between the City of Lemon Grove and the Successor Agency to the Lemon Grove Community Development Agency

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Action: Motion by Board Member Jones, seconded by Board Member Vasquez, to adopt the resolutions passed, by the following vote:

Ayes: Sessom, Gastil, Jones, Mendoza, Vasquez

Resolution No. 2015-3320: Resolution of the City Council of the City of Lemon Grove, California Approving a Loan Agreement between the Successor Agency to the Lemon Grove Community Development Agency and the City of Lemon Grove

Resolution No. 2015-3321: Resolution of the City Council of the City of Lemon Grove, California Approving a Loan Agreement between the Successor Agency to the Lemon Grove Community Development Agency and the City of Lemon Grove

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City. (GC 53232.3 (d))

Councilmember Jones attended an East County Legislative Committee meeting, East County Chamber roundtable, and the Lemon Grove Little League Opening Day.

He added that Bob Emery one of Poway's founding fathers who served on City Council for the first 28 years, passed away on Tuesday morning.

Councilmember Mendoza attended an ECEDC meeting, two Lemon Grove Library events, an elected official's reception at UCSD, and the East County Chamber roundtable.

Councilmember Gastil attended the Lemon Grove Little League Opening Day where he presented a proclamation, a LOSAN meeting, and the Farmers Market.

Mayor Pro Tem Vasquez attended a City/County Reinvestment meeting, the Lemon Grove Little League Opening Day, United Gospel Artists Freedom Voice Gospel celebration, and a Local Agency Formation Committee meeting.

Mayor Sessom reported that she was out of town due to a family matter.

City Manager and Department Director Reports

Chief Drum reported that hundreds of firefighters from all over San Diego County will take to the streets to collect donations for Burn Institute programs on March 4th.

Closed Session

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

The Affordable Housing Coalition of San Diego County v. Sandoval, et al,

Case No. 34-2012-80001158-CU-WM-GDS

Closed Session Report: No reportable action was taken.

Adjournment

There being no further business to come before the City Council, Housing Authority, Sanitation District Board, Lemon Grove Roadway Lighting District Board, and the Lemon Grove Successor Agency the meeting was adjourned at 8:20 p.m.

Susan Garcia

Susan Garcia, City Clerk